

Forty Six

PROPOSITIONS

Briefly proving, that

His Present MAJESTY

King *G E O R G E*

Is the Only Rightful and Lawful

KING of *G R E A T - B R I T A I N*.

And also that the

Nonjuring Bishops (&c.)

Were Rightfully and Lawfully Deprived.

By *EDWARD WELLS, D. D. Rector of*
Cotesbach in Leicestershire.

L O N D O N,

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THE GEORGE



THE UNIVERSITY OF TORONTO
CHANCELLOR

THE
PREFACE.

IT being a Principal Duty of Religion, to promote as much as in Us lies, the *Good of our Country* ; and there being Nothing which brings *more Mischief* to a Church or State in any Country than *Divisions* : On these Considerations I have been induced to draw up the following *Propositions*, as tending in Themselves (not Only according to my Own Judgment) to *put an End* to those most unhappy *Divisions*, which do still disturb and afflict *This Church and State* on account of the *Late Revolution*.

Things transacted some Ages ago, are very Capable of being Misrepresented, and *so it is easy to raise Objections* against Arguments drawn from the *History* of Such Transactions, which

both

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The. P R E F A C E.

Objections nevertheless *cannot oftentimes be so Easily Solv'd*, -namely, Not without a Long and Careful Perusal and Comparing of Histories, and of the several Circumstances recorded therein, and relating to the Transactions on which the Arguments are founded. By which Means the Management of such Arguments quickly Swell to a Book, and thereby become at Once Very Troublesome to the Managers, and Little Useful to the Readers: The Generality of These wanting either Ability or Inclination, (if not Both,) to go through the Fatigue of perusing Books of Controversy.

For these Reasons I have confin'd My self to such Arguments as arise, either from the plain Dictates of Reason, and the Nature and End of Government in general; or else from the Nature of Our Constitution, and the Laws of this Land in particular. And that the Arguments I make use of, might be attended with the greatest Brevity and Perspicuity, and so become the More serviceable to the Reader, I have drawn them up in a Mathematical Method.

The P R E F A C E.

thod. By which Method, not only the Arguments themselves are contain'd within so very Narrow a Compass, as that they may be easily read over in the Space of a Single Hour; but also the Reader is so Gradually and Naturally led into the *True Merits* of the Cause; that in order to his being *Convinced of the Truth* of the *Two Main Propositions* hereby undertaken to be Proved, Nothing more seems requisite than a *Mind Impartially dispos'd to embrace the Truth*, when set before Him.

I am am apt to think, that the Wrong Notions concerning the *Greatness of the Kingly Power* or Authority, the *Oath of Allegiance*, and the *Hereditariness of the Crown*, are the principal Causes which keep *Well-meaning Persons* from Acknowledging the Rightfulness and Lawfulness of the Present Government. And therefore I have particularly endeavour'd to *Remove such Wrong Notions*.

Whatever the Success may be, which these Papers meet with; I shall not fail of
This

The P R E F A C E.

This Satisfaction in Sending them Abroad,
that thereby *I have done, As much as in Me*
lies, to Remove those Great Evils, which at
present continue so Nearly and Sorely to Af-
flict Our Church and State.

I conclude with that short but compre-
hensive and pertinent Collect of our Church:
Grant, O Lord, we beseech Thee, that the
Course of this World may be so Peaceably or-
dered by Thy Governance, that Thy Church
may joyfully serve Thee in all Godly Quietness,
through Jesus Christ our Lord. Amen.

Forty

(5)

Forty Six

PROPOSITIONS

Briefly proving, that

His Present MAJESTY

King *GEORGE*

Is the Only Rightful and Lawful

KING of *GREAT-BRITAIN*.

I.

GOD is the *Fountain* of all Power or Authority.

II.

Therefore such only are *Duly invested* with any Power or Authority, as are invested therewith *agreeably to the Will of GOD*.

B

III.

III.

The *Will of GOD* is, either more plainly to be learnt by the *Light of Revelation*, that is, the *Holy Scriptures*; or (in such Cases as are Undetermin'd in the *Holy Scriptures*) to be discover'd in the Best iManner We can, by the *Light or Right Use of our Natural Reason*.

IV.

To *whom* do's belong the *Supreme or Chief Power and Authority* in Every State or Country, is Undetermin'd in the *Holy Scriptures*; and therefore is to be Discover'd by the *Light or Help of Right Reason*.

V.

Right Reason teaches, that it being Undetermined in the *Holy Scriptures*, To whom the *Supreme Power or Authority* shall belong in every State or Country: Therefore every State is left at Liberty to *Determin by its own Laws*, To whom the said *Supreme Power* shall belong within itself.

VI

VI.

Therefore the *Law* of any State or Country is the *Ordinary Rule* whereby to judge and know, To whom the Supreme Power do's belong in the said Country.

VII.

The *Legislative* Power is the Supreme Power.

VIII.

Therefore, to *Whom* the Legislative Power belongs in any Country, to the *Same* do's the Supreme Power belong.

IX.

By the Law of *England*, the Legislative Power do's belong jointly to *King* (or *Queen*) and *Parliament*.

X.

Therefore in *England*, the Supreme Power do's belong jointly to *King* and *Parliament*.

XI.

XI.

The King and Parliament, consider'd *jointly as they* *Constitute* the Supreme Legislative Power, *can Enact* any Law Not contrary to the Will of G O D.

XII.

The King and Parliament consider'd *jointly as they* *Constitute* the Supreme Legislative Power, *can Repeal* any Law formerly made by the Supreme Legislative Power.

XIII.

The King and Parliament, consider'd *Distinctly and as they do Not constitute* the Supreme Legislative Power, *cannot enact or repeal any Law*; but are Each, King as well as Parliament, *subject to or bound by the Laws*.

XIV.

Therefore, *Where-ever or in how High Soever* Terms the Greatness of the Kingly Power or Authority be exprest; yet after All, *What is so said*, must in Reason be *understood*, in such a Sense as is *Consistent* with the *King's being at most Only a Partner* in the Supreme Legislative Power, and when He is Not consider'd in That Respect, being *Even Subject to or Bound by the Law*.

XV.

XV.

Obedience, with Respect to Men, is primarily and chiefly due to the Supreme Legislative Power; or (which comes to the same) to the Laws made by the said Power.

XVI.

Therefore and by Prop. 9 and 10, the Obedience of an *English-man* with respect to Men, is Primarily and Chiefly due to *King and Parliament jointly*; or (which comes to the same) to the *Laws* made by them.

XVII.

Therefore the *Allegiance sworn to any King of England*, in how High soever Terms it be exprest, yet after All must in Reason be *understood*, in such a Sense as is *consistent* with the *Kings being Only a Partner* in the *Supreme Legislative Power*, and in such a Sense as is *consistent* with the *Laws* of the Land.

XVIII.

The Supreme Legislative Power for the Time being, can (by Prop. 11 and 12.) *Rightfully and Lawfully limit (or determin) the Descent and Inheritance of the*
C Crown,

Crown, Otherwise than it has been Limited in any Former time by the Supreme Legislative Power Then in being.

Agreeably hereto by an Act made in the thirteenth Year of Queen Elizabeth, it is expressly Enacted, that if any Person shall any ways hold and affirm or maintain that the Queens Majesty with and by the Authority of the Parliament of England, is NOT ABLE to make Laws and Statutes of sufficient Force and Validity, to LIMIT and BIND the Crown of this Realm, and the DESCENT, Limitation, INHERITANCE, and Government thereof: Every such Person, during the Life of the Queens Majesty, shall be judg'd an High Traitor, and suffer or forfeit as in Cases of High Treason is accustomed; and after the Decease of the said Queen, shall forfeit all his Goods and Chattels.

XIX.

Two Persons or Parties can in no Case have a Rightful and Lawful Title or Claim to One and the same Thing.

XX.

Therefore the Authority of the Supreme Legislative Power to Limit the Descent and Inheritance of the

the Crown, do's necessarily imply an Authority to cut off and disannul, by the said Limitation, All other Title or Claims whatever to the Crown or the Inheritance thereof.

XXI.

Therefore, *Where-ever* or in *how High soever* Terms, the Crown of England be declar'd Hereditary; yet after All, *What is so said*, must in Reason be understood, in such a Sense as is consistent with the Authority of the Supreme Legislative Power to Limit and Bind the Descent and Inheritance of the said Crown, and thereby to Cut off and Disannul All other Titles or Claims to the said Crown or the Inheritance thereof.

XXII.

Therefore the Allegiance Sworn to any King of England and HIS HEIRS, in *how High soever* Terms it be exprest, yet after All is in Reason to be understood, in such a Sense as is consistent with the Authority of the Supreme Legislative Power to Limit and Bind the Descent and Inheritance of the Crown, and thereby to Cut off and Disannul All other Titles to the said Crown or the Inheritance thereof.

XXIII.

XXIII.

In any Extraordinary Case relating to the Government of a State, and Not provided for by the Law of the said State, the Only Rule left to go by, is the Nature and End of Government in general, and the Natural Consequences arising therefrom with respect to the said Extraordinary Case.

XXIV.

The Nature and End of Government do's Necessarily require, that in every State there should be Always a Supreme Power with Authority Finally to Determin All Matters or Cases, that shall happen: For otherwise Government must of Course cease in a State, and there will arise Anarchy or Confusion.

XXV.

Therefore, if in any State or Country the Ordinary Supreme Power happens to Cease or Fail, and that in such a manner as the Law of the said Country has not provided, How the Failure or Want of the Ordinary Supreme Power shall be supply'd: Then or in such a Case the Nature and End of Government do Necessarily require, that upon such a Failure of the Ordinary Supreme Power there should commence or arise an Extraordinary Supreme Power, with Authority Finally to
Determin

Determin All matters requisite to be Determin'd, and therefore to Determin more especially, How the Administration of the Supreme Power shall be restor'd to the Ordinary Form or Ancient Constitution thereof.

XXVI.

If in the Country where such a Case happens, the Ordinary Supreme Power be shar'd between Two Parties, and ceases by means of the Failure of One of the said Parties : Then Right Reason or Equity requires or directs, that the Extraordinary Supreme Power arising (by Prop. 25) upon the Failure of the Ordinary Supreme Power, should be vested or lodged in Those Persons, which are wont to make the Other Party in the Ordinary Supreme Power : forasmuch as according to the Supposition of the foremention'd Case, No other can lay a Better or so Good a Claim to the said Extraordinary Power.

XXVII.

Those Persons who are wont to make the Other Party in the Ordinary Supreme Power, being thus (by Prop. 26.) invested with the Extraordinary Supreme Power, and consequently (by Prop. 25.) with Authority finally to Determin All matters Requisite to be determin'd, and therefore to Determin more especially, How the Administration of the Supreme Power shall be restor'd to the Ordinary Form : It follows hence,

D

that

that if the Party, by whose Failure the Ordinary Supreme Power fail'd, was a *King*, Then those who are invested in this Case with the Extraordinary Supreme Power, have Authority (as well as by Prop. 18 and 20, the Ordinary Supreme Power has Authority) to *Limit the Descent and Inheritance of the Crown* to such Person or Persons, as They shall judge Fit; and by such their Limitation to *Cut off and Disannul All Other Titles* to the Crown or Inheritance thereof.

XXVIII.

Therefore the *Person or Persons*, to whom the Descent and Inheritance of the Crown is thus Limited by the aforesaid Extraordinary Supreme Power, do thereby in the Case here suppos'd, become *Rightfully and Lawfully possess'd of the said Crown*, and the *Only Person or Persons* that have a *Right and Lawful Title* to the Possession of the said Crown.

XXIX.

The Premises being Agreeable, either to the *Laws of England* in particular, or to the *Laws or Dictates of Right Reason* in general: it thence follows, that *King GEORGE* is at present *Our Only Rightful and Lawful King*. For

XXX.

XXX.

The *Laws* of this Kingdom have *not provided*, *How the Place* of the King shall be *supply'd*, if He withdraws Himself out of this Kingdom, without Legally constituting any other Person or Persons to exercise the Kingly Authority in his Stead, and he continue Alive after his so withdrawing Himself.

XXXI.

Therefore upon the late King *James II.* withdrawing himself out of this Kingdom in such a manner, and continuing Alive after he had so withdrawn Himself; the *Ordinary* Supreme Power *ceased* or *failed in such a manner*, as the *Laws* of this Kingdom had *not provided*, *How the Failure* of the said Ordinary Supreme Power should be *supply'd*:

XXXII.

Therefore (by Prop. 25.) upon such a *Failure* of the Ordinary Supreme Power, there *did commence* or *arise* an *Extraordinary* Supreme Power, with *Authority* *Finally* to *Determin* All matters Requisite to be determin'd, and therefore *more* especially to *Determin*, *How* the Administration of the Supreme Power should be *restor'd* to the *Ordinary* Form.

XXXIII.

XXXIII.

The said *Extraordinary Supreme Power* was (by *Prop. 26.*) *vested or lodg'd* in Those Persons, who are wont to make the *Other Party* in the *Ordinary Supreme Power*, that is, in the *Lords Spiritual and Temporal*, and the *Representatives of the Commons* in this Kingdom.

XXXIV.

The *Lords Spiritual and Temporal*, and the *Representatives of the Commons* in this Kingdom being thus (by *Prop. 33.*) *invested* with the aforesaid *Extraordinary Supreme Power*; and consequently (by *Prop. 32.*) with *Authority Finally to Determin*, How the *Administration* of the *Supreme Power* should be *restor'd* to the *Ordinary Form*: Thereby (according to *Prop. 18.*) the said *Lords and Commons* had Authority to *Limit* the *Descent and Inheritance* of the *Crown* to the Then *WILLIAM and MARY Prince and Princesses of Orange* jointly during Both their *Lives* in the *First place*, after that to the *Surviver*, who prov'd to be the *Prince*.

XXXV.

The Then *Prince and Princesses of Orange*, being the Persons to whom the *Lords Spiritual and Temporal* and

and the Representatives of the Commons, invested at that time with the aforesaid Extraordinary Supreme Power, did Limit the Descent and Inheritance of this Crown; The said Prince and Princess did thereby (according to Prop. 18) become, in the first place jointly Both of them, Rightfully and Lawfully possess'd of this Crown, and the Only Persons that had then a Rightful and Lawful Title to the Possession of the said Crown; and after that upon the Decease of Queen MARY, King WILLIAM III. did thereby become Singly, Rightfully and Lawfully possess'd of the said Crown, and the Only Person that had then a Rightful and Lawful Title to the Possession of the said Crown.

XXXVI.

King WILLIAM being thus become Our Only Rightful and Lawful King, He with and by the Authority of a Parliament assembled by Him, could Rightfully and Lawfully do, Whatever could Rightfully and Lawfully be done by the Supreme Legislative Power at any time, or by any King (or Queen) and Parliament.

XXXVII.

Therefore (by Prop. 18 and 20) King WILLIAM III, with and by the Authority of Parliament, could Rightfully and Lawfully Limit the Descent and Inheri-

tance of this Crown, in such a manner to Descend, as it has now actually descended, to his present Majesty King GEORGE ; and by the said Limitation, could Rightfully and Lawfully Cut off and Disannul All Other Titles or Claims to the said Crown or the Inheritance thereof.

XXXVIII.

Therefore *King GEORGE*, by the said *Limitation* of the Descent and Inheritance of the Crown to him by *King WILLIAM III.* and the Parliament, is now become *Our Only Rightsul and Lawful King.* Q. E. P.

XXXIX.

Moreover it follows from the foregoing Propositions, that *King WILLIAM III.* and *Queen MARY*, with and by the Authority of Parliament, *could Rightfully and Lawfully Deprive the Nonjuring Bishops, &c.* For

XL.

GOD is the *Author* (*Not of Confusion, but of Peace,* as *St. Paul* says, *1 Cor. 14. 33.* and consequently) of *Government.*

XLI.

Therefore, *Whatever is agreeable to the End of Government in general, is thereby Agreeable to the Will of GOD.*

XLII.

It is Necessary, and so most Agreeable to the End of Government in general, that *All Such as will Not acknowledge the Authority of a Government, should be deprived themselves of the Exercise of All Publick Authority within the Extent of the said Government.*

XLIII.

Therefore (by Prop. 41.) it is *Agreeable to the Will of God, that All Such as will Not acknowledge the Authority of a Government, should be Depriv'd Themselves of the Exercise of All Publick Authority within the Extent of the said Government.*

XLIV.

King WILLIAM III. and Queen MARY being (by Prop. 35.) become Rightfully and Lawfully possess'd of the Crown, They with and by Authority of Parliament *could (according to Prop. 11.) Enact any Law*

Law (Not Contrary, or which comes to the same) Agreeable to the Will of GOD.

XLV.

Therefore King WILLIAM III. and Queen MARY, with and by the Authority of Parliament, *could* (by Prop. 43.) *Rightfully and Lawfully Enact a Law to deprive of the Exercise of All Publick Authority within the Kingdom of England, All Such as would Not acknowledge the Authority of the Then Government.*

XLVI.

Therefore King WILLIAM III. and Queen MARY, with and by Authority of Parliament, *could* *Rightfully and Lawfully Deprive the Nonjuring Bishops of the Exercise of their Episcopal Authority within the Kingdom of England. Q. E. P.*



F I N I S

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